

MEETINGS TO DATE 6
NO. OF REGULARS 5
NO. OF SPECIALS 1

LANCASTER, NEW YORK
MARCH 4, 1974

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York, on the 4th day of March, 1974 at 8:00 P.M. and there were

PRESENT: LEO N. WEIMER, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN

ABSENT: ARTEL J. METZ, COUNCILMAN

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
TIMOTHY J. DWAN, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
JOHN F. LUME, HIGHWAY SUPERINTENDENT
VICTOR H. OTT, POLICE CHIEF
JOHN M. COSTELLO, ASSESSOR III

BID OPENING SCHEDULED FOR 8:00 P.M.:

At 8:00 P.M. the Town Board considered sealed proposals for furnishing to the Town of Lancaster Highway Department the following materials: road oil, crushed stone, blacktop, grit, gravel, slurry seal, cinders and redi-mix concrete.

ON MOTION BY COUNCILMAN BERENT, AND SECONDED BY COUNCILMAN BOLENDER AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

Proposals were received from the following bidders:

<u>BIDDER</u>	<u>BID ON</u>
1. Buffalo Slab Co., Inc. 111 Great Arrow Avenue Buffalo, New York 14216	Blacktop Crushed Stone Gravel Slag
2. Keppers Co. Inc. 1655 Union Road West Seneca, New York 14224	Road Oil
3. Allied Bitumens, Inc. 505 Como Park Boulevard Cheektowaga, New York 14227	Road Oil Slurry Seal
4. Lancaster Stone Products Corporation 5833 Main Street Buffalo, New York 14221	Crushed Stone Black Top
5. Midland Asphalt Corp. 640 Young Street Tonawanda, New York 14150	Road Oil
6. Spencer & Haley, Inc. Elton Road Delevan, New York 14042	Gravel Ice Control Grit
7. Pine Hill Concrete Mix Corp. 2255 Bailey Avenue Buffalo, New York 14211	Gravel Ice Control Grit Redi Mix Concrete
8. Krantz Asphalt Co., Inc. 701 Elk Street Buffalo, New York 14210	Road Oil
9. Houdaille Construction Materials, Inc. P. O. Box 39 Buffalo, New York 14221	Crushed Stone Black Top

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were ordered turned over to the Highway Superintendent for examination, tabulation, and recommendation.

BID OPENING SCHEDULED FOR 8:15 P.M.:

At 8:15 P.M. the Town Board considered sealed proposals for, furnishing to the Town of Lancaster the requirements of the Town of Lancaster's 1974 Tree Planting Program.

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN BARNHARDT AND CARRIED, by unanimous roll call vote, the time for receiving the aforesaid proposals was closed at 8:20 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

The following proposals were received:

<u>BIDDER</u>		<u>BID</u>
1. Schichtel's Nursery S-6787 Chestnut Ridge Road Orchard Park, New York 14127		As specified below
<u>Detail Specification</u> <u>Item</u>	<u>Species</u>	<u>Price Per</u> <u>Tree</u>
1	Columnar Norway Maple	\$ 8.55
2	Littleleaf Linden	\$12.05
3	Crimson King Maple	\$ 8.55
4	Kwanzan Flowering Cherry	\$ 8.75
5	Shademaster Locust	\$12.40
6	European Hornbeam	\$14.00
7	Hedge Maple	\$10.50
8	Japanese Tree-Lilac	\$13.50
9	Hop-Hornbeam	\$10.50
10	Red Oak	\$ 9.80
11	Full Double-Flowering Crab Apple	\$ 8.40
12	Columnar Siberian Crab	\$ 8.75
13	Washington Hawthorn	\$10.50
14	Bradford Callery Pear	\$ 9.80
15	Radiant Crab	\$ 8.40
16	Japanese Flowering Crab	\$ 8.40
17	Emerald Queen Norway	\$ 8.55

ON MOTION BY COUNCILMAN BOLENDER, AND SECONDED BY COUNCILMAN BERENT AND CARRIED, by unanimous roll call vote, the aforesaid proposals were turned over to the Tree Planting Committee for examination, tabulation, and recommendation.

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Town Clerk	February, 1974
Dog Warden	February, 1974

The Town Clerk reported that the following Boards of the Town of Lancaster have filed with him minutes of their meetings as follows:

Planning Board	Meeting #3, Feb. 6, 1974
Emergency Ambulance Service	Meeting #4, June 18, 1973
Advisory Board	Meeting #5, July 23, 1973
	Meeting #6, Aug. 6, 1973
	Meeting #7, Sept. 10, 1973
	Meeting #8, Oct. 10, 1973
	Meeting #9, Nov. 19, 1973
	Meeting #10, Dec. 10, 1973
	Meeting #11, Jan. 7, 1974

COMMITTEE REPORTS:

Councilman Berent, for the Fire Committee, reported that the Town Board met with representatives of the four (4) fire companies on February 28, 1974 and laid the basic ground work for the creation of a Firematic Study Group, whose purpose it will be to study the best ways and means to provide maximum fire protection to the Town of Lancaster at the most feasible cost.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on February 18, 1974, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

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The resolution was thereupon unanimously adopted.

March 4, 1974.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it is the intention of the Town Board of the Town of Lancaster to sponsor a Recreation Program for the elderly citizens of Lancaster for the period April 1, 1974 to March 31, 1975, and

WHEREAS, the Town of Lancaster is about to submit a Renewal Application for such program to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, and if approved, to apply subsequently to the State of New York for partial reimbursement of funds to be expended on said program,

NOW, THEREFORE, BE IT

RESOLVED, that such application to the New York State Recreation Council for the Elderly is in all respects approved and that Leo N. Weimer, Supervisor of the Town of Lancaster, be and is hereby authorized and directed to duly execute and present the aforesaid application to the New York State Recreation Council for the Elderly, New York State Education Department, Albany, New York, for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, by resolution of January 1, 1974, authorization was given
by the Town Board to the Highway Superintendent to purchase two (2) new 1974
automobiles at state bid price approved by the New York State Office of General
Services from Union-Chrysler Plymouth, Inc., and

WHEREAS, since said authorization was given for said purchase,
Union Chrysler-Plymouth, Inc. no longer has the contract to furnish vehicles
at state bid price,

NOW, THEREFORE, BE IT

RESOLVED, that the resolution of the Town Board of January 1, 1974,
authorizing the purchase of two (2) new 1974 automobiles for use of the
Highway Department be and hereby is rescinded.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~

The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, It is the intention of the Town Board of the Town of Lancaster to sponsor the Town of Lancaster Narcotic Guidance Council for the period April 1, 1974 to March 31, 1975, and

WHEREAS, the Town of Lancaster is about to submit a Renewal Application for such project to the New York State Narcotic Addiction Control Commission for approval and, if approved, to apply subsequently to the State of New York for partial reimbursement of funds expended on said project,

NOW, THEREFORE, BE IT

RESOLVED, that such application is in all respects approved and Leo N. Weimer, Supervisor, is hereby authorized and directed to duly execute and present said application to the New York State Narcotic Addiction Control Commission for its approval.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, in order to qualify for Federal and/or State Aid for sewer projects and to implement the requirements of the Federal Water Pollution of 1972, it is necessary that the Town of Lancaster enact a Sewer Use Ordinance to regulate and govern the use of sanitary sewers in the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed Town Ordinance entitled "SEWER USE ORDINANCE OF THE TOWN OF LANCASTER, ERIE COUNTY, STATE OF NEW YORK, DESIGNATED CHAPTER 37 OF THE CODE OF THE TOWN OF LANCASTER", be held on the 18th day of March, 1974 at 8:00 o'clock P.M., Eastern Daylight Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the time and place of such hearing be published on the 7th day of March, 1974, in the Lancaster Enterprise-Journal, the official newspaper and a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 4th day of March, 1974, the said Town Board will hold a Public Hearing on the 18th day of March, 1974, at 8:00 o'clock P.M., Eastern Daylight Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed Town Ordinance entitled:

"SEWER USE ORDINANCE OF THE TOWN OF LANCASTER, ERIE COUNTY, STATE OF NEW YORK, DESIGNATED CHAPTER 37, OF THE CODE OF THE TOWN OF LANCASTER."

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: March 4, 1974

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

COUNCILMAN METZ VOTED WAS ABSENT

SUPERVISOR WEIMER VOTED YES

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The resolution was thereupon unanimously adopted.

SEWER USE

Chapter 37

An Ordinance Regulating the Use of Public and Private Sewers and Drains, Private Sewage Disposal, the Installation and Connection of Building Sewers and the Discharge of Waters and Wastes into Public Sewer System(s); and Providing Penalties for Violations Thereof; in the Town of Lancaster, Erie County, New York.

Sec. 37-1	Definitions
Sec. 37-2	Use of public sewers required
Sec. 37-3	Private sewage disposal
Sec. 37-4	Building sewers and connections
Sec. 37-5	Use of public sewers
Sec. 37-6	Protection from damage
Sec. 37-7	Powers and authorities of inspectors
Sec. 37-8	Penalties and enforcement
Sec. 37-9	Saving clause
Sec. 37-10	Effective date

Area Covered by this Ordinance

This Ordinance shall affect only that area of the Town of Lancaster where sanitary sewer districts and/or storm sewer districts have been created, exclusive of the Village of Lancaster and the Village of Depew.

Sec. 37-1. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this ordinance shall be as follows:

APPLICANT - Any person as hereinafter described having an interest in and executing written application hereunder.

BOD (denoting BIOCHEMICAL OXYGEN DEMAND) - The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at twenty degrees Centigrade (20°C), expressed in milligrams per liter.

BUILDING DRAIN - That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to a point five (5) feet outside the inner face of the building wall.

BUILDING SEWER - The extension from the building drain to the public sewer or other place of disposal.

GARBAGE - Solid wastes from the domestic and commercial preparation, cooking and dispensing of food or from the handling, storage and sale of produce.

INDUSTRIAL WASTES - The liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

NATURAL OUTLET - Any outlet into a watercourse, pond, ditch, lake or other body of surface or groundwater.

PERMIT OFFICER - The Town Clerk of the Town of Lancaster or such other person as from time to time may be designated by the Town Board to issue permits for connections, construction and other necessary work in connection with sewers.

PERSON - Any individual, firm, company, association, society, corporation or group.

pH - The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

PLUMBING INSPECTOR - The person from time to time designated by the Town Board as responsible for inspection of all plumbing, sewers, drains or private sewage disposal systems and connections to the public sewers.

PROPERLY SHREDDED GARBAGE - The wastes from the preparation, cooking and dispensing of foods that have been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public

sewers, with no particle greater than one-half (1/2) inch in any dimension.

PUBLIC SEWER - A sewer in which all owners of abutting properties have equal rights, and which has been dedicated to and accepted by the Town of Lancaster.

SANITARY SEWER - A sewer which carries sewage and to which storm, surface and groundwaters are not intentionally admitted.

SEWAGE - A combination of water-carried wastes from residences, business buildings, institutions and industrial establishments, together with such ground surface and storm waters as may be present.

SEWAGE TREATMENT PLANT - Any arrangement of devices and structures used for treating sewage.

SEWAGE WORKS - All facilities for collecting, pumping, treating and disposing of sewage.

SEWER - A pipe or conduit for carrying sewage.

SHALL is mandatory; **MAY** is permissive.

SLUG - Any discharge of water, sewage or industrial wastes which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four-hour concentration or flows during normal operation.

STORM DRAIN (sometimes termed Storm Sewer) - A sewer which carries storm and surface waters and drainage but excludes sewage and industrial wastes, other than unpolluted cooling water.

SUPERINTENDENT OF SEWERS - The person from time to time designated by the Town Board to be in charge of supervision of the sewage works of the Town of Lancaster, his authorized deputy, agent or representative.

SUSPENDED SOLIDS - Solids that either float on the surface of, or are in suspension in water, sewage or other liquids, and which are removable by laboratory filtering.

TOWN - The Town of Lancaster, a municipal corporation duly organized and existing under the laws of the State of New York.

WATERCOURSE - A channel in which a flow of water occurs, either continuously or intermittently.

Sec. 37-2. Use of Public Sewer Required

- A. It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner on public or private property within the Town of Lancaster any human or animal excrement, garbage or other objectionable waste.
- B. It shall be unlawful to discharge to any natural outlet within the Town of Lancaster any sewage or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this ordinance.
- C. Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- D. The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the Town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary sewer of the Town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this ordinance within ninety (90) days after date of official notice to do so, provided that said public sewer is within two hundred (200) feet of the property line.

Sec. 37-3. Private Sewage Disposal

- A. Where a public sanitary sewer is not available under the provisions of Sec. 37-2D, the building sewer shall be connected to a private sewage disposal system complying with the provisions of this section.
- B. Before commencement of a private sewage disposal system, the owner shall first obtain a written permit signed by the Permit Officer. The application for such permit shall be made

on a form furnished by the Town which the applicant shall supplement by any plans, specifications and other information deemed necessary by the Plumbing Inspector.

- C. A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Permit Officer upon written report of the Plumbing Inspector approving same. Before any construction is commenced, the Plumbing Inspector shall make a field inspection of the layout and shall approve the layout with such modifications as he shall require. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Plumbing Inspector when the work is ready for final inspection and shall not cover any underground portions until the Plumbing Inspector has inspected and approved the work.
- D. The type, capacities, location and layout of a private sewage disposal system shall comply with all rules and regulations of the Town with respect thereto and with any other requirements of the Erie County Health Department. No permit shall be issued for any private sewage disposal system to be constructed upon a lot having an area less than authorized by the Zoning Ordinance of the Town of Lancaster except by special approval of the Zoning Board of Appeals.
- E. No septic tank or cesspool shall be permitted to discharge to any natural outlet, whether by original construction or by reason of any act or circumstance occurring after construction, nor shall the disposal field of any private sewage disposal system be reduced in area by reason of any act or circumstance.
- F. At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in Sec. 37-20, a direct connection shall be made to the public sewer in compliance with this ordinance within ninety (90) days, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.
- G. The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the Town.

Sec. 37-4.

Building Sewers and Connections

- A. No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Town Clerk upon written report of the Superintendent approving same.
- B. There shall be two classes of building sewer permits:
 - (1) For residential and/or commercial service.
 - (2) For service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the Town. The permit application shall be supplemented by any plans, specifications or other information considered pertinent in the judgement of the Superintendent.
- C. All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the Town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. Fees shall be in accordance with Chapter 30.
- D. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one (1) building sewer.

- E. Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this ordinance.
- F. The size, slope, alignment, materials of construction of a building sewer and the methods to be used in excavating, place of pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the Building and Plumbing Code (Chapter 9 of the Building Construction Code of the State of New York and current amendments thereto, adopted by resolution of the Town Board on February 4, 1952) or other applicable rules and regulations of the Town.
- G. Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by a means approved by the Superintendent.
- H. No person shall make connection of roof downspouts, exterior foundation drains, areaway drains or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sanitary sewer.
- I. The connection of the building sewer into the public sewer shall conform to the requirements of the Building and Plumbing Code (Chapter 9 of the Building Construction Code of the State of New York and current amendments thereto, adopted by resolution of the Town Board on February 4, 1952) or other applicable rules and regulations of the Town. All such connections shall be made gas-tight and watertight. Any deviation from the prescribed procedure and materials must be approved by the Superintendent before installation.
- J. The applicant for the building sewer permit shall notify the Plumbing Inspector when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or Plumbing Inspector or his representative.
- K. All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Town.

Sec. 37-5. Use of public sewers.

- A. No person shall discharge or cause to be discharged any storm water, surface water, groundwater, roof runoff, sub-surface drainage, uncontaminated cooling water or unpolluted industrial process waters to any sanitary sewer. Illegal connections shall be removed immediately and the sewer repaired at the owner's expense upon request of the Superintendent or the Plumbing Inspector.
- B. Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, on approval of the Superintendent, to a storm sewer or natural outlet.
- C. No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewers:
 - (1) Any gasoline, benzene, naphtha, fuel oil or other explosive liquid, solid or gas.
 - (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals,

create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of two (2) mg/l as CN in the wastes as discharged to the public sewer.

- (3) Any waters or wastes having a pH lower than five point five (5.5) or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
- (4) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works, such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails and paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.

D. No person shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely in the opinion of the Superintendent that such wastes can harm either the sewers, sewage treatment process or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, public property or constitute a nuisance. In forming his opinion as to the acceptability of these wastes, the Superintendent will give consideration to the requirements of the Town, the County of Erie, the State of New York and the Environmental Protection Agency of the Federal Government, and such factors as the quantities of subject wastes in relation to flows and velocities in the sewers, materials of construction of the sewers, nature of the sewage treatment process, capacity of the sewage treatment plant, degree of treatability of wastes in the sewage treatment plant and other pertinent factors. The substances prohibited include, but are not limited to:

- (1) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F.) (sixty-five degrees Centigrade (65°C.)).
- (2) Any water or wastes containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between thirty-two and one hundred fifty degrees Fahrenheit (32°F. and 150°F.) (Zero and sixty-five degrees Centigrade (0°C. and 65°C.)).
- (3) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three-fourths (3/4) horsepower (seventy-six hundredths (0.76) hp metric) or greater shall be subject to the review and approval of the Superintendent.
- (4) Any waters or wastes containing strong acid metal-pickling wastes, or concentrated plating solutions whether neutralized or not.
- (5) Any waters or wastes containing, iron, chromium, copper, zinc and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established by the Superintendent for such materials.
- (6) Any waters or wastes containing phenols or other taste- or odor-producing substances, in such concentrations exceeding limits which may be established by the Superintendent as necessary, after treatment of the composite sewage, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (7) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Superintendent in compliance with applicable state or federal regulations.

- (8) Any waters or wastes having a pH in excess of nine point five (9.5).
- (9) Materials which exert or cause:
 - (a) Undue concentrations of inert suspended solids, such as, but not limited to, fullers earth, lime slurries and lime residues, or of dissolved solids such as, but not limited to, sodium chloride and sodium sulfate.
 - (b) Excessive discoloration such as, but not limited to, dye wastes and vegetable tanning solutions.
 - (c) Unusual BOD, chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant volume of flow or concentration of wastes.
 - (d) Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
- (10) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment process employed, or are amenable to treatment only to such degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

E. If any waters or wastes are discharged or are proposed to be discharged to the public sewers, which waters contain the substances or possess the characteristics enumerated in paragraph 37-5D and, which in the judgment of the Superintendent, may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to life and constitute a public nuisance, the Superintendent may:

- (1) Reject the wastes;
 - (2) Require pretreatment to an acceptable condition for discharge to the public sewers;
 - (3) Require control over the quantities and rates of discharge; and/or
 - (4) Require payment to cover the added cost of handling and treating the wastes not covered by existing taxes or sewer charges under the provisions of paragraph 37-5J.
- If the Superintendent permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of the Town and all applicable codes, ordinances and laws.

F. Grease, oil and sand interceptors shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent and shall be located as to be readily and easily accessible for cleaning and inspection.

G. Where preliminary treatment or flow-equalizing facilities are provided for any waters or wastes, they shall be maintained by the owner, at his expense, in continuous and effective operation satisfactory to the Superintendent.

H. When required by the Superintendent, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole together with such necessary meters and appurtenances in the building sewer to facilitate observation, sampling and measurement of the waste parameters required by the Superintendent. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

I. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in this ordinance shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater", published by the American Public Health Association, and shall be determined at the control manhole provided, or upon suitable samples taken at said control manhole. In the event that no

special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses required and whether a twenty-four-hour composite of all outfalls of a premise is appropriate or whether a grab sample or samples should be taken shall be determined by the Superintendent. Normally, but not always, BOD and suspended solids analyses are obtained from twenty-four-hour composites of all outfalls whereas pH's are determined from periodic grab samples). Frequency of grab samples shall be determined by the Superintendent.

- J. No statement contained in this section shall be construed as preventing any special agreement or arrangement between the Town and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the town for treatment; subject to payment therefor by the industrial concern.
- K. Periodic reports of sample analyses shall be furnished to the Superintendent upon his request.

Sec. 37-6. Protection from damage.

No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under the appropriate section or sections of the New York State Penal Law.

Sec. 37-7. Powers and Authority of Inspectors

- A. The Superintendent and Plumbing Inspector and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all properties for the purpose of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance. The Superintendent or his representatives shall have no authority to inquire into any processes including metallurgical, chemical, oil, refining, ceramic, paper or other Industries beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for waste treatment.
- B. While performing the necessary work on private properties referred to in Sec. 37-7A above, the Superintendent or duly authorized employees of the Town shall observe all safety rules applicable to the premises established by the company and the company shall be held harmless for injury or death to the Town employees and the Town shall indemnify the company against loss or damage to its property by Town employees and against liability claims and demands for personal injury or property damage asserted against the company and growing out of the gauging and sampling operation, except as such may be caused by negligence or failure of the company to maintain safe conditions as required in Sec. 37-5H.
- C. The Superintendent and Plumbing Inspector and other duly authorized employees of the Town bearing proper credentials and identification shall be permitted to enter all private properties through which the Town holds a duly negotiated easement for the purposes of, but not limited to, inspection, observation, measurement, sampling, repair and maintenance of any portion of the sewage works lying within said easement. All entry and subsequent work, if any, on said easement shall be done in full accordance with the terms of the duly negotiated easement pertaining to the private property involved.

Sec. 37-8. Penalties and Enforcement.

- A. Any person found to be violating any provision of this ordinance, except Sec. 37-5C and Sec. 37-6, shall be served by the Town with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations
- B. Any person found to be violating Section 37-5C or Sec. 37-6 or any person who shall continue any other violation beyond the time limit provided in Sec. 37-8A, shall be guilty of an offense against this ordinance and, on conviction thereof, shall pay a penalty in an amount not exceeding one hundred dollars (\$100.00) for each violation or imprisonment for a period not exceeding thirty (30) days, or both. Each day in which any such violations shall continue shall be deemed a separate offense.

Sec. 37-9. Saving Clause.

If any clause, sentence, paragraph, section or part of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sec. 37-10. Effective Date.

This ordinance shall constitute part of the Code of the Town of Lancaster and shall take effect immediately upon its adoption in accordance with the provision of law.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore requested an evaluation of speed conditions on Walden Avenue within the Town of Lancaster, including that portion of the Villages of Depew and Lancaster within said Town of Lancaster, and

WHEREAS, by letter of January 14, 1974, the Erie County Department of Public Works has advised the Town Board that the New York State Department of Transportation has made such evaluation and determined that a uniform speed limit of 45 miles per hour should apply, and

WHEREAS, it is deemed in the public interest that such speed limit be made applicable,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Clerk of the Town of Lancaster be and hereby is authorized and directed to forward a certified copy of this resolution to the Deputy Commissioner-Highways of the County of Erie, indicating the Town of Lancaster's agreement to the establishment of a uniform speed limit of 45 miles per hour on Walden Avenue from the west line of the Town of Lancaster to a point five-tenths of a mile beyond Central Avenue.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
COUNCILMAN METZ	VOTED WAS ABSENT
SUPERVISOR WEIMER	VOTED YES

x x x x x

The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested authorization to purchase, for use in the Highway Department of the Town of Lancaster, one (1) new 1974 station wagon and one (1) new 1974 4-door sedan at state bid price from Transitowne Dodge, Inc., and

WHEREAS, there are sufficient funds on hand in the Highway Department budget to cover the cost of purchase of said vehicles for Town Highway Department use,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of Lancaster be and hereby is authorized to purchase, for use of the Highway Department, one (1) new 1974 Dodge 4-door station wagon for the total cost of \$3,428.41, and one (1) new 1974 Dodge 4-door sedan at a total cost of \$2,869.86 from Transitowne Dodge, Inc., 7408 Transit Road, Williamsville, New York, at state bid price approved by the New York State Office of General Services.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~clerk~~

The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BARNHARDT, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BOLENDER, TO WIT:

RESOLVED, that the following Building Permit Applications be and are
hereby approved and the issuance of Building Permits be and are hereby
authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
7	Majestic Pools Inc.	4370 Walden Avenue	EX. STL. STRG. BLDG.
8	A. Butlak	5577 Genesee Street	ER. FR. BR. VEN. SING. DWLG.

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~xxx~~
The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has and will expend sums from time to time on the preliminary cost in connection with the renovation of the former Nike Site on Pavement Road, which is to be identified as the "Lancaster Center" and which will be utilized for certain governmental functions of the Town of Lancaster, and

WHEREAS, funds must be provided for such preliminary cost prior to the adoption of bond resolution for said capital renovation and construction to be performed at said Lancaster Center,

NOW, THEREFORE, BE IT

RESOLVED, that the preliminary cost regarding the renovation of the Lancaster Center be financed by the General Fund current appropriations, current appropriations to be taken as needed from the Unappropriated Fund Balance account in accordance with the Uniform System of Accounts for Towns.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

dxk:yx

The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED, that the following transfers within the General Fund of
the Town of Lancaster be effected:

	<u>Account</u>	<u>To</u> <u>Amount</u>	<u>Account</u>	<u>From</u> <u>Amount</u>
<u>Supervisor</u>				
Equipment	10.1220.2	\$ 950.00	10.1220.47	\$ 950.00
General				
<u>Recreation</u>				
General	10.7020.470	450.00	10.1990	450.00
Contingent				
<u>Police</u>				
Equipment	10.3120.2	2,205.30	10.1990	2,205.30
Contingent				

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED WAS ABSENT
SUPERVISOR WEIMER VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, TO WIT:

RESOLVED, that the following Audited Claims had are hereby ordered
paid from their respective accounts:

<u>ACCOUNTS</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 165 to 231 Incl.	\$ 546,870.23
Special District Funds	No. 12 to 18 Incl.	430,062.14
Part Town Funds	No. 14 to 21 Incl.	43,386.32
Highway Funds	No. 47 to 61 Incl.	81,684.29
Trust & Agency Funds	No. 7 to 9 Incl.	12,754.00
Ambulance Capital Reserve	No. 11 to 11 Incl.	6,700.00
Federal Revenue Sharing	No. 22 to 22 Incl.	3,000.00
Capital Fund	No. 1 to 3 Incl.	578.26

The question of the adoption of the foregoing resolution was duly put
to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES
COUNCILMAN METZ VOTED WAS ANT
SUPERVISOR WEIMER VOTED YES

~~and~~
The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

BOND RESOLUTION OF THE TOWN OF LANCASTER,
NEW YORK, ADOPTED MARCH 4, 1974, AUTHORIZING
THE PURCHASE OF (1) A SEWER CLEANING MACHINE
AT AN ESTIMATED MAXIMUM COST OF \$5,000, (2) A
HIGH-LIFT LOADER AND TRAILER AT AN ESTIMATED
MAXIMUM COST OF \$25,000, (3) A BITUMINOUS
PAVER AT AN ESTIMATED MAXIMUM COST OF \$25,000
AND (4) AN AIR COMPRESSOR AT AN ESTIMATED
MAXIMUM COST OF \$5,000, FOR THE USE OF SAID
TOWN, STATING THE TOTAL COST OF ALL OF
SAID PIECES OF EQUIPMENT IS \$60,000, APPRO-
PRIATING SAID AMOUNT THEREFOR, INCLUDING
THE APPROPRIATION OF \$6,000 CURRENT FUNDS
AVAILABLE THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$54,000 SERIAL BONDS OF THE TOWN
TO FINANCE THE BALANCE OF SAID APPROPRIATION.

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER,
IN THE COUNTY OF ERIE, NEW YORK (by the favorable vote of not less
than two-thirds of all the members of said Board) AS FOLLOWS:

Section 1. The Town of Lancaster (herein called "Town"), in
the County of Erie, New York, is hereby authorized to purchase (1) a
sewer cleaning machine at an estimated maximum cost of \$5,000, (2) a
high-lift loader and trailer at an estimated maximum cost of \$25,000,
(3) a bituminous paver at an estimated maximum cost of \$25,000 and
(4) an air compressor at an estimated maximum cost of \$5,000, for
use by the Town. The estimated total cost of all of said pieces of
equipment, being all of the items of a single specific object or purpose,

including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and the said amount is hereby appropriated therefor, including \$6,000 current funds of the Town available therefor. The plan of financing includes the use of said \$6,000 current funds, the issuance of \$54,000 serial bonds of the Town to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Town to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of \$54,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the balance of said appropriation not provided by said current funds.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of each of said pieces of equipment for which said \$54,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of §11.00 a. 32 of the Law, is five (5) years.

(b) Current funds are not required by the Law to be provided as a down payment prior to the issuance of the bonds hereby authorized or of any notes issued in anticipation of the sale of such bonds, in accordance with the provisions of §107.00 d. 4 of the Law; however, such current funds are available therefor in the amount of \$6,000 in the current budget of the Town under the heading "Machinery Equipment (Account No. DM 5130.40)" and the Supervisor is hereby authorized to set aside said current funds and expend same solely towards the cost of said specific object or purpose.

(c) The proposed maturity of the bonds authorized by this resolution may not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of such bonds shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or the renewals of said Notes, and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said Notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. It is further stated that the validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with

and an action, suit or proceeding contesting such validity, is commenced within twenty (20) days after the date of such publication, or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~duky~~
The resolution was thereupon unanimously adopted.

March 4, 1974

THE FOLLOWING RESOLUTION WAS OFFERED BY
COUNCILMAN BOLENDER, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LANCASTER, IN THE COUNTY
OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Town Clerk is hereby directed to publish the
foregoing bond resolution, in full, in the "LANCASTER ENTERPRISE JOURNAL",
a newspaper published in Lancaster, New York, and having a general
circulation in said Town, which newspaper is hereby designated as the
official newspaper of the Town for such publication, together with the
Town Clerk's statutory Notice in substantially the form as prescribed
by Section 81.00 of the Local Finance Law of the State of New York.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
COUNCILMAN METZ	VOTED	WAS ABSENT
SUPERVISOR WEIMER	VOTED	YES

~~xxxy~~
The resolution was thereupon unanimously adopted.

March 4, 1974

STATUS REPORTS ON UNFINISHED BUSINESS:1. Traffic Study - Walden Avenue

On March 4, 1974 the Town Board adopted a resolution indicating their agreement with a uniform speed on Walden Avenue of 45 m.p.h.

The Town Clerk was directed to remove this item from the future agendas of the Town Board.

2. Rezone Petition - Ralph Figlow - Aurora Street

On October 16, 1972, after a Public Hearing, this matter was referred back to the Planning Board for review and report to the Town Board.

3. Cayuga Creek Flood Program

On May 11, 1973 the Army Corps of Engineers notified the Town Board that they had completed their field inspection and that they are preparing a report which is scheduled to be completed by September, 1973.

4. Tax Abatement - Police Services - County Sheriff's Department

On September 27, 1973 the Assistant County Attorney transmitted to the Town of Lancaster a copy of the most recent Comptroller's opinions relative to this type of tax abatement.

The Town Attorney was directed to review the opinions and report back to the Town Board.

On March 4, 1974 the Town Clerk was directed to obtain a status report on this item.

5. Traffic Study - Reduced Speed - Bowen Road

On January 8, 1974 the New York State Department of Transportation acknowledged receipt of the towns request for a reduced speed limit and indicated a study will be conducted as their caseload permits.

6. Rezone Petition - John and Clementine Golaszewski - Transit Road

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board for review and report.

7. Traffic Study - Signalization - Bowen and William - Walden and Ransom

On January 14, 1974 the County Deputy Commissioner of Highways reported that the traffic study of these two (2) locations indicated a need for a traffic control device at both locations.

8. Permit Application - Lancaster Sanitary Land Fill

On January 21, 1974 this petition was presented to the Town Board and referred to the Planning Board and Environmental Conservation Commission for study and report.

PERSONS ADDRESSING THE TOWN BOARD:

Mrs. Edith Fuldauer, 12 Clark Street, Lancaster, New York, asked the Town Board if railroad ties would be used to shore up the creek bank behind the new proposed Broadway Library.

The Supervisor informed Mrs. Fuldauer that he did not know of any planned use of railroad ties to shore up the creek bank.

COMMUNICATIONS:DISPOSITION

- | | |
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| 68. Town Clerk to Town Board -
Resume of actions taken in response to
resolutions and directives - Meeting of
February 18, 1974. | R & F |
| 69. Hillview Baptist Church to Town Board -
Transmittal - Petition of Hillview
Baptist Church for Annexation of
Adjoining Territory to Village of
Depew. | Engineers
Attorney |
| 70. N.Y.S. Dept. of Transportation to Town
Clerk -
Notification - Denial of Towns request
for a reduced speed zone on Bowen Road. | Police Chief
H. Zurbrick |
| 71. County Dept. of Public Works - Division of
Highways to Town Clerk of Cheektowaga -
Traffic signs - Como Park Boulevard. | Police Chief |
| 72. Dept. of Army to Supervisor -
Notification - Transcript available
from public meeting of November 28, 1973
on Scajaquada Creek. | R & F |
| 73. Secretary, Emergency Ambulance Service
Advisory Board to Town Board -
Request meeting with Town Board, Chief
of Police, and Officers of Ambulance
Corps to discuss relocation of Ambulance
Service to Nike Base. | R & F |
| 74. Liberty National Bank & Trust Company to
Town Board -
Request addition to bid list for town
funds or town borrowing and authorized
depository for town funds. | Supervisor |
| 75. Highway Supt. to Town Board -
Request authorization for purchase of
two (2) vehicles from Transitown Dodge. | R & F |
| 76. Local Government Program to New York State
Local Government Officials -
Notification - Offering of state-wide
training of trainers program for local
government personnel. | Highway Supt.
R & F |
| 77. President, RVAC to Town Board -
Request - Insurance coverage to provide
compensation to members as a result of
service related injuries. | Police Chief
Attorney
Police Committee |
| 78. Erie & Niagara Counties Regional Planning
Board to Supervisor -
Notification - Meeting on March 7th
for purpose of facilitating review of
Federally-assisted programs and projects
under Regional Clearinghouse procedures -
Walden Pond Park. | Recreation Committee |
| 79. Director, County Office of Manpower Services
to Supervisor -
Notification - Deadline of April 1, 1974
for reviewing all programs of training
and/or employment programs and funding
it with Operational Planning Grant money. | Supervisor |

ADJOURNMENT:

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 8:55 P.M. out of respect to:

RITA B. WIEGAND

LISA KLINGELSMITH